

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

11020 Sun Center Drive #200, Rancho Cordova, California 95670

PUBLIC HEARING

concerning

**CONSIDERATION OF RESOLUTION AMENDING CEASE AND DESIST ORDER
(National Pollutant Discharge Elimination System)**

for

**CITY OF MANTECA
WASTEWATER QUALITY CONTROL FACILITY
SAN JOAQUIN COUNTY**

On 19 March 2004, the Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board) adopted Waste Discharge Requirements Order No. R5-2004-0028 (Order), NPDES No. CA0081558, prescribing waste discharge requirements for the City of Manteca Wastewater Quality Control Facility. The Regional Water Board also issued Cease and Desist Order No. R5-2004-0029 (CDO), pursuant to California Water Code (CWC) Section 13301, which includes requirements and time schedules to bring the discharge into full compliance with the final effluent and receiving water limitations contained in the Order.

On 29 March 2005, the Executive Officer issued Administrative Civil Liability Complaint No. R5-2005-0509 (Complaint) to the City of Manteca (hereafter Discharger), pursuant to CWC section 13385. Following settlement negotiations, on 16 September 2005, the Regional Water Board issued Administrative Civil Liability Order No. R5-2005-0128 for \$463,000, with \$204,000 of the liability allowed to be used for implementation of a supplemental environmental project.

As a requirement of the settlement of the Administrative Civil Liability, on 25 July 2005 the Discharger provided an updated schedule for meeting the compliance time schedule required in Item 5 of the CDO, which is required to ensure compliance with Effluent Limitation B.11 and Receiving Water Limitations F.8 and F.9. In accordance with the settlement agreement, a resolution is proposed to amend the CDO to extend the interim compliance date to submit a Thermal Plan Exception Report. The final compliance date is unchanged. The extension is not expected to delay full compliance in accordance with the CDO.

A **formal** public hearing concerning this matter will be held during the Regional Water Board meeting which is scheduled for:

DATE: 26/27 January 2006
TIME: 8:30 am
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, California 95670

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The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Water Quality Control Board
- City of Manteca Staff

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Regional Water Board no later than **19 January 2006**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The proposed Resolution amending Cease and Desist Order No. R5-2004-0029 was issued on **19 December 2005**. Persons wishing to comment on this noticed hearing item must submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than **9 January 2006**. Written evidence or comments submitted after **9 January 2006** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair

Anyone having questions on the proposed Resolution amending Cease and Desist Order No. R5-2004-0029 should contact James Marshall at (916) 464-4772. Interested persons may download the proposed Resolution and related documents from the Regional Water Board's Internet website at <http://www.waterboards.ca.gov/centralvalley/tentative/>. Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Regional Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Janice Tanaka at (916) 464-4839

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Janice Tanaka at (916) 464-4839 at least 5

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working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

ORIGINAL SIGNED BY

KENNETH D. LANDAU, Assistant Executive Officer

19 December 2005